

MESSAGE NO: 5219315 MESSAGE DATE: 08/07/2015

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 80 FR 40998 FR CITE DATE: 07/14/2015

REFERENCE 2363309
MESSAGE #
(s):

CASE #(s): A-570-979

EFFECTIVE DATE: 07/14/2015 COURT CASE #:

PERIOD OF REVIEW: 05/25/2012 TO 11/30/2013

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for solar cells, whether or not assembled into modules, from the PRC exported by various companies for the period 05/25/2012 through 11/30/2013 (A-570-979)

1. The companies listed below reported to Commerce that they had no shipments of crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China during the period 05/25/2012 through 11/30/2013. Therefore, pursuant to the publication of the final results of review (80 FR 40998, 07/14/2015) and as a result of Commerce's clarification of its assessment regulation (10/24/2011, 76 FR 65694), for all shipments of crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China exported by the companies listed below, entered, or withdrawn from warehouse, for consumption during the period 05/25/2012 through 11/30/2013, entered under the case numbers listed below, assess antidumping duties at the People's Republic of China-wide rate, except if paragraphs 2 or 3 are applicable. The People's Republic of China-wide rate is 238.95 percent.

Exporter: Delsolar Co., Ltd.

Case number: A-570-979-041

Exporter: Dongfang Electric (Yixing) MAGI Solar Power Technology Co., Ltd.

Case number: A-570-979-042

Exporter: ET Solar Energy Limited

Case number: A-570-979-045

Exporter: Hengdian Group DMEGC Magnetics Co., Ltd.

Case number: A-570-979-077

Exporter: Himin Clean Energy Holdings Co., Ltd.

Case number: A-570-979-047

Exporter: Jiangsu Green Power PV Co., Ltd.

Case number: A-570-979-050

Exporter: Jiangsu Jiasheng Photovoltaic Technology Co., Ltd.

Case number: A-570-979-000

Exporter: JinkoSolar International Limited

Case number: A-570-979-038

Exporter: Konca Solar Cell Co., Ltd.

Case number: A-570-979-053

Exporter: Kuttler Automation Systems (Suzhou) Co., Ltd.

Case number: A-570-979-000

Exporter: Motech (Suzhou) Renewable Energy Co., Ltd.

Case number: A-570-979-056

Exporter: Ningbo Ulica Solar Science & Technology Co., Ltd.

Case number: A-570-979-060

Exporter: Perlite Solar Co., Ltd.

Case number: A-570-979-061

Exporter: Shenzhen Suntech Power Co., Ltd.

Case number: A-570-979-000

Exporter: ShunFeng PV

Case number: A-570-979-000

Exporter: Sumec Hardware & Tools Co., Ltd.

Case number: A-570-979-069

Exporter: Suntech Power Co., Ltd.

Case numbers: A-570-979-002, A-570-979-003, A-570-979-004, and A-570-979-005

Exporter: Tianwei New Energy (Chengdu) PV Module Co., Ltd.

Case number: A-570-979-009

Exporter: Upsolar Group Co., Ltd.

Case numbers: A-570-979-029, A-570-979-030, A-570-979-031, A-570-979-032, A-570-979-033,

A-570-979-034, and A-570-979-035

Exporter: Wanxiang Import & Export Co., Ltd.

Case number: A-570-979-036

Exporter: Yangzhou Rietech Renewal Energy Co., Ltd.

Case number: A-570-979-000

Exporter: Yangzhou Suntech Power Co., Ltd.

Case number: A-570-979-000

Exporter: Zhejiang Jiutai New Energy Co., Ltd.

Case number: A-570-979-073

Exporter: Zhenjiang Rietech New Energy Science & Technology Co., Ltd.

Case number: A-570-979-000

2. If a bond or cash deposit was collected as security for an estimated antidumping duty for any shipment of merchandise described in paragraph 1 that was entered, or withdrawn from warehouse, for consumption during the period 05/25/2012 through 11/20/2012, assess antidumping duty liabilities equal to the amount resulting from the application of paragraph 1 or equal to the amount of the bond or cash deposit, whichever is less.

3. Entries for the period 11/21/2012 through 12/05/2012, should be liquidated via message 2363309, dated 12/28/2012.

4. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the final results of administrative review (80 FR 40998, 07/14/2015). Unless instructed otherwise, for all other shipments of crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

5. There are no injunctions applicable to the entries covered by this instruction.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the

required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the manufacturer, producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duty and/or increase the antidumping duty by the amount of the countervailing duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIV: BF)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party